



**Planning Commission  
Minutes of the February 15, 2018 Regular Meeting**

The meeting was called to order by Planning Commission Chairman Wesson at 5:33 p.m.

**ATTENDEES  
PLANNING COMMISSION MEMBERS**

Troy Wesson, CAPZO, Planning Commission Chair	Present
John Seifert, CAPZO, City Council Member	Present
Cynthia McCollum, CAPZO	Absent
Steve Ryder, CAPZO	Present
Cameron Grounds, CAPZO	Present
Stephen Brooks, CAPZO	Present
Lewie L. Bates, CAPZO	Absent
Michael Potter, CAPZO	Present
Tim Cowles, CAPZO	Present

**PLANNING STAFF PRESENT**

Kevin Bernard, Associate Planner; Johnny Blizzard, Senior Planner; Mary Beth Broeren, Director of Planning & Economic Development; Megan Zingarelli, City Attorney.

**REGISTERED PUBLIC ATTENDEES**

Philip Bergstresser, Cleve Cunningham, Jennessa Crosswy, Judy Parker, Robert Kendall, Eddie Grissett, P.D Kennedy, Carol Rolfsen, James Rolfsen, Jessica Vaughn, Judi Harris, Phil Harris, Patti Rakoczy, Maria Rakoczy, Edward Farrell, Monica Farrell, Mona Offenbecher, James K. Offenbecher, Bobbie J. Hodges, Terri Johnson, Kenny Charles, Curtney Walters, Johnathan Jackson, David Lee, Patricia Jackson, Darrel Jackson Megan Rytting, Brittany Holley, Joshua Holley, Dimika Cummings, Travis Cummings, Jonathan McGee, Debra Berry, Nick Mcee and Sean Conway.

**ACCEPTANCE OF THE AGENDA**

The agenda was accepted with some changes. Staff reported that a continuance was requested by the applicant for the Westside Master Plan Vision Map amendment and the Zoning Map amendment until the March 22<sup>nd</sup>, 2018 meeting. Because there were so many people in attendance for the request and it had been advertised, Mr. Wesson stated that he would allow public comments this evening and then another public hearing could be held on March 22<sup>nd</sup>. Additionally, two bonds for approval were added to new business section of the agenda.

**APPROVAL OF THE MINUTES**

Mr. Potter moved to approve the minutes of the January 18, 2018 regular meeting. Council member Seifert seconded the motion.

**Final Vote:**

Chairman, Troy Wesson	Aye
Cynthia McCollum	----
Steven Ryder	Aye
Cameron Grounds	Aye
Stephen Brooks	Abstain
Lewie Bates	----
Mike Potter	Aye
City Council Member Seifert	Aye
Tim Cowles	Aye

**Motion Carried****PUBLIC COMMENTS**

Jim Offenbecher inquired if public comments would be taken at the next meeting for the rezoning request. The Chair confirmed that they would be.

**PUBLIC HEARINGS****Zoning Amendments**

1. **West Side Master Plan** (MP 2018-001) to change the place type from I (Industry) and PNA (Parks & Natural Area) to SSF (Suburban Single-Family) for 124.37 acres.  
**Location:** South of Norfolk Southern Railroad, West of Kyser Boulevard  
**Applicant/Property Owner:** Louis Breland

**Applicant Comments**

None.

**Staff Report**

Mr. Blizzard stated that previous owners of this property made similar rezoning requests in January 2016; however, the requests were not supported by staff and were withdrawn by March 2016 and never acted on. Mr. Blizzard stated that there are two properties that are mostly zoned M-2 (General Industrial). Mr. Blizzard explained that rezoning the 124 acres for residential uses is not ideal for four main reasons. Firstly, Mr. Blizzard stated that it is not timely for the school district, which is at capacity in some schools already and is projected to exceed capacity at the middle school level within four years and district-wide within 10 years. Secondly, he explained that it is not in the City's long-term interests with regards to maintaining and growing its industrial base, which provides jobs and supports day-time businesses. Third, Mr. Blizzard further explained that it is not in the City's fiscal interest because of the cost to

provide services to single family uses. Lastly, Mr. Blizzard stated that the proposed residential use is a non-compatible land use with the existing industrial uses in the vicinity and airport noise that would negatively impact residential development. Mr. Blizzard concluded that staff recommended denial of the request.

### **Public Comments**

Mr. Robert Kendall stated that as a resident of the community currently bordered by R-4 zoning on Kyser Boulevard and Royal Drive he was concerned that his subdivision would be surrounded if the proposed property is also zoned R-4. Mr. Kendall also stated that he was concerned about safety due to the increase of pedestrian and vehicular traffic through the community, from the nearby multifamily communities. Mr. Kendall explained that the increased traffic has generated the need for new traffic signals and other upgraded road infrastructure. Mr. Kendall also stated that a drastic increased density of residents due to R-4 rezoning would further burden the City of Madison school system; therefore, he supports the staff's recommendation to deny the rezoning request. Mr. Kendall concluded by stating that he didn't mind if industry located on the property.

Mr. James Offenbecher stated that he was unaware that the request was for single family homes and not R-4 zoning. Mrs. Broeren explained that the R-4 designation requested allowed the developer to build various types of homes, and as indicated by the developer, the plan is to construct detached Single Family homes with some Townhouses. Mr. Offenbecher stated that he was not convinced that the developer would be mindful of the surrounding communities nor keep their word on verbal plans not to construct more multifamily residences.

Mr. Robert Kendall additionally suggested that there should be a documented confirmation of the developer's proposed housing choice and that rezoning be specific to detached single family homes as proposed.

Ms. Bobbie Hodges stated that she does not support adding residences in the subject area. She also mentioned that the wooded lot between the concrete plant and subdivision along Palmer Road is frequently used for illegal activities including trash dumping and drug use. Council Member Seifert stated that the City of Madison was acquiring that property as the new site for the City of Madison's Public Works Department.

Ms. Judy Parker stated that as a resident for over 40 years, she is concerned about the additional vehicular traffic and safety challenges that would be created in her community if a new residential development is allowed.

Ms. Terry Johnson commended the staff on a thorough report that reflected the presentations of the Growth Impact Committee with respect to the impacts to schools.

### **Commission Comments**

Mr. Wesson asked if the public needed to be notified of the next meeting in March 2018. Mrs. Broeren stated that notices would only be necessary if the applicant changed their request.

**Motion:**

Mr. Potter motioned to continue the West Side Master Plan Amendment (MP2018-001) for Dublin Properties for one month. Mr. Ryder seconded the motion.

**Final Vote:**

Chairman, Troy Wesson	Aye
Cynthia McCollum	-----
Steven Ryder	Aye
Cameron Grounds	Aye
Stephen Brooks	Aye
Lewie Bates	-----
Mike Potter	Aye
City Council Member Seifert	Aye
Tim Cowles	Aye

**Motion Carried**

2. **Zoning Map Amendment (ZMA 2018-001)** to rezone 124.37 acres from M1 (Restricted Industrial District) and M2 (General Industrial District) to R4 (Multi-Family Residential District)  
**Location:** South of Norfolk Southern Railroad, West of Kyser Boulevard  
**Applicant/Property Owner:** Louis Breland

**Applicant Comments**

None.

**Staff Report**

Contained in Item 1 (West Side Master Plan Amendment) of the public hearing.

**Public Comments**

Contained in Item 1 (West Side Master Plan Amendment) of the public hearing.

**Commission Comments**

Contained in Item 1 (West Side Master Plan Amendment) of the public hearing.

**Motion:**

Mr. Potter motioned to continue the Zoning Map Amendment (ZMA2018-001) for Dublin Properties to the next meeting. Mr. Brooks seconded the motion.

**Final Vote:**

Chairman, Troy Wesson	Aye
Cynthia McCollum	-----
Steven Ryder	Aye
Cameron Grounds	Aye
Stephen Brooks	Aye
Lewie Bates	-----

Mike Potter	Aye
City Council Member Seifert	Aye
Tim Cowles	Aye

**Motion Carried**

**Subdivisions**

3. **Burgreen Village, Phase 3 (CP 2018-001)**  
**Certified Plat to modify an existing lot & common area on 5.34 acres**  
**Location:** North of Powell Road, West of Burgreen Road  
**Applicant/Property Owner:** Mungo Homes of Alabama

**Applicant Comments**

None.

**Staff Report**

Mr. Blizzard stated that this was a request for a certified plat to modify an existing lot and common area on 5.34 acres in the Burgreen Village Subdivision. He noted that approval of the certified plat will establish a more even rear lot line in relation to the rear yard setback for future home construction and allow for a more useable back yard. Mr. Blizzard stated that the certified plat meets all applicable regulations and staff recommends approval.

**Public Comments**

None.

**Commission Comments**

None.

**Motion:**

Mr. Brooks motioned to approve the Certified Plat for Burgreen Village, Phase 3 (CP2018-001) with contingencies.

**Planning Department Comments**

1. 20 ft. utility and drainage easement running east/west through Common area is not centered correctly
2. The finished floor for Lot 84 does not match previous plat.
3. Line 38 of legal description references a different "bearing & distance" than is shown on the drawing. (At the rear of Lot 96)

**Engineering Department Comments:**

1. Clarify boundary of Common Area A

Mr. Cowles seconded the motion.

**Final Vote:**

Chairman, Troy Wesson	Aye
Cynthia McCollum	-----
Steven Ryder	Aye
Cameron Grounds	Aye
Stephen Brooks	Aye
Lewie Bates	-----
Mike Potter	Absent
City Council Member Seifert	Aye
Tim Cowles	Aye

**Motion Carried**

**4. Interstate Commercial Park, Phase 1 (PP 2018-001)**

**Preliminary Plat for 4 lots on 5.41 acres**

**Location:** South of Madison Boulevard at the terminus of Lanier Road

**Applicant:** Croy Engineering

**Property Owner:** Nest Holdings

**Applicant Comments**

None.

**Staff Report**

Mr. Blizzard stated that this is a preliminary plat with construction plans for four commercial lots on 6.05 acres in the Interstate Commercial Park Subdivision. Mr. Blizzard stated that the development has a development agreement between the City of Madison and the developer to modify the existing traffic signal at Lanier Road and Madison Boulevard and other lane enhancements. He also noted that lot 4 is partially in a flood plain and Public & Utility Drainage Easement, which requires input from FEMA and ALDOT to help determine the size of detention needed in that area and future plans for the lot. Mr. Blizzard stated that staff recommends approval, noting that the Planning Department contingencies have been addressed.

**Public Comments**

None.

**Commission Comments**

None.

**Motion:**

City Council Member Seifert motioned to approve the preliminary plat/construction plans for Interstate Commercial Park, Phase 1 (PP2018-001), with contingencies.

**Engineering Department Comments:**

1. Provide ADEM Permit for approval of plans.

Mr. Cowles seconded the motion.

**Final Vote:**

Chairman, Troy Wesson	Aye
Cynthia McCollum	----
Steven Ryder	Aye
Cameron Grounds	Aye
Stephen Brooks	Aye
Lewie Bates	----
Mike Potter	Aye
City Council Member Seifert	Aye
Tim Cowles	Aye

**Motion Carried**

5. **Crown Pointe, Phase 8 (PP 2018-001)**

**Final Plat for 29 lots on 35.62 acres**

**Location:** North of Gillespie Road, East of Balch Road

**Applicant:** 4Site, Inc.

**Property Owner:** Jeff Benton Development

**Applicant Comments**

None.

**Staff Report**

Mr. Blizzard stated that the applicant requests a continuance to the next meeting in March 2018.

**Public Comments**

Ms. Deborah Berry stated that she is a resident in phase 7 of the Fernbridge Community. She explained that the community is experiencing flooding in the common area due to a high water table from the nearby wetlands. Ms. Berry expressed concerns about expanding the community with new residences in a phase 8 near the existing wetlands, which may increase flooding throughout the community. Ms. Berry also asked for some engineering expertise to help determine a solution to the flooding issue. Mr. Wesson and Mr. Potter suggested she contact the Mr. Chynoweth (City's engineer) for assistance on the matter.

**Commission Comments**

None.

**Motion:**

Mr. Cowles motioned to continue the Final Plat for Crown Pointe, Phase VIII (FP2018-001) to the March 22<sup>nd</sup>, 2018 Planning Commission meeting. Mr. Potter seconded the motion.

**Final Vote:**

Chairman, Troy Wesson	Aye
Cynthia McCollum	-----
Steven Ryder	Aye
Cameron Grounds	Aye
Stephen Brooks	Aye
Lewie Bates	-----
Mike Potter	Aye
City Council Member Seifert	Aye
Tim Cowles	Aye

**Motion Carried**

**(Public Hearing Closed)**

**Site Plan**

1. **Madison Mission SDA Church (SP 2018-002)**  
**Site Plan to add a 21,200 square feet worship building to the existing church campus, with a Waiver Request regarding Sidewalks.**  
**Location:** North of Madison Boulevard, West and South of Shelton Road  
**Applicant:** Cunningham & Company Engineers, Inc.  
**Property Owner:** Madison Mission Seventh Day Adventist Church

**Applicant Comments**

Mr. James Bowman, a representative on behalf of the church, requested a sidewalk construction waiver due to anticipated road work by the City of Madison along Shelton Road. Mr. Bowman also stated that several large trees would be removed to accommodate the sidewalk and that the additional cost to do so would significantly increase their overall budget.

**Staff Report**

Mr. Blizzard stated that this request was for site plan approval to add a 21,200 square feet worship building to the church campus. Mr. Blizzard explained that the proposed project includes modification of an existing driveway, new landscape islands, addition of new parking spaces, and utility and drainage improvements. Mr. Blizzard also stated that only 9.95 acres of the overall 15.26 acres would undergo construction and improvement, including 1,360 linear feet of sidewalk, which will be five foot in width. Mr. Blizzard stated that there is a need for sidewalks in this location, and staff does not recommend the waiver be granted. However, Mr. Blizzard noted that staff would recommend the applicant pay a "fee in lieu" instead of completing the construction at this time. Mr. Blizzard explained that

the fee could be split into two payments and that the City would prefer to manage the sidewalk construction and timing thereof due to the complexity in constructing the sidewalk. Mr. Blizzard further stated that the site plan meets all applicable rules and regulations and that staff recommends approval of the site plan, except for the sidewalk waiver request.

### **Commission Comments**

Mr. Brooks asked about the exact location and length of the proposed sidewalk in relation to the site plan. Mr. Blizzard stated that all the frontage excluding the area on the north frontage where there is an existing structure totals 1360 linear ft.

Mr. Cleve Cunningham (Project Architect) stated that the sidewalk proposed is from the driveway on the east side of the site to the driveway on the north. Mr. Cunningham also explained that many of the mature trees would be removed and right-of-way would be necessary to construct the sidewalk and ensure pedestrian safety.

Mr. Wesson and Mr. Potter asked about the specific road improvement project referred to by Mr. Bowman. Mr. Blizzard and Mrs. Broeren stated that they were unaware of any planned road improvements along the project site that would negatively impact construction of the sidewalk.

Mr. Potter stated the removal of the mature trees to accommodate the sidewalk will drastically increase the cost of the sidewalk per linear feet.

Mr. Wesson asked if this project could be compared to the Eastview Community where similar consideration/ agreement was requested for sidewalk construction. Mrs. Broeren stated a letter of credit with a five year limit was allowed in this area.

Mr. Brooks stated the main points to be considered regarding the sidewalk are to waive the construction by church, or to have the church pay a fee in lieu of, and the construction will be performed by the City. Mrs. Broeren stated that there was an option to split the total cost into two equal payments.

Mr. Courtney Walters (church member) stated that there are no existing sidewalks on the adjacent properties to connect the required sidewalk for this site. Mr. Walters asked about the origin of sidewalk requirements. Mr. Brooks explained that it is part of a plan to implement sidewalk connectivity whenever site improvements are made. Mr. Potter stated that pedestrian accessibility is a focus for the City and is being mandated even in older neighborhoods.

Mr. Brooks asked what improvements on a site triggers the requirement for sidewalks. Mr. Blizzard explained that any site improvement plan warrants sidewalk improvements or installation.

Mr. Cowles asked if the sidewalk constructed will be deferred until the City begins Shelton Road improvements. Mrs. Broeren stated that there were no midterm plans scheduled for Shelton Road.

Mr. Kenny Charles (church member) stated that construction cost of the sidewalk will delay the start date of the project. Mr. Charles also stated that the expansion of the facility would allow for more community oriented activities.

Mr. Cleve Cunningham requested a five year letter of credit be accepted instead of a cash payment.

**Motion 1:**

Mr. Brooks motioned to approve the wavier of the five foot concrete sidewalk along the frontage to Shelton Road. Mr. Ryder seconded the motion.

**Final Vote:**

Chairman, Troy Wesson	Nay
Cynthia McCollum	----
Steven Ryder	Nay
Cameron Grounds	Nay
Stephen Brooks	Nay
Lewie Bates	----
Mike Potter	Nay
City Council Member Seifert	----
Tim Cowles	Nay

**Motion Failed**

**Motion 2:**

Mr. Potter motioned to accept a five year letter of credit for a five foot concrete sidewalk as a "fee in lieu" of \$25 per linear foot for the frontage along Shelton Road. However, the sidewalk must be constructed by the City of Madison within the life of the letter of credit or the letter of credit will be rescinded. Mr. Cowles seconded the motion.

**Final Vote:**

Chairman, Troy Wesson	Aye
Cynthia McCollum	----
Steven Ryder	Aye
Cameron Grounds	Aye
Stephen Brooks	Nay
Lewie Bates	----
Mike Potter	Aye
City Council Member Seifert	----
Tim Cowles	Aye

**Motion Carried**

**Motion 3:**

Mr. Cowles motioned to approve the Site Plan for Madison Missions Seventh Day Adventist Church (SP2018-002) with recommended contingencies and an added contingency to not show the sidewalk on the site plan because it would be built separately by the City.

**Planning Department**

1. Affix the appropriate signature certificates to Cover Sheet.
2. Show percentage of materials to be used on building elevations.
3. Submit an outdoor lighting plan, including:
  - 1) A photometric drawing of the site;
  - 2) Location of all external lighting on the site;
  - 3) A diagram as to how each type of lighting fixture will be shielded; and
  - 4) Type lights that will be used
4. Show existing and proposed, exterior and interior landscaping with calculations.
5. Remove sidewalk from the plans.

**Engineering Department Comments:**

1. Provide ADEM Permit for approval of plans.
2. Add engineering notes on sheet C-2.

Mr. Ryder seconded the motion.

**Final Vote:**

Chairman, Troy Wesson	Aye
Cynthia McCollum	----
Steven Ryder	Aye
Cameron Grounds	Aye
Stephen Brooks	Aye
Lewie Bates	----
Mike Potter	Aye
City Council Member Seifert	----
Tim Cowles	Aye

**Motion Carried**

**New Business**

**Subdivision Bonds**

**1. Sidewalk Bond for Madison Midtowne**

Mr. Blizzard reported on the bond request.

**Motion:**

Mr. Potter motioned to approve the request. Mr. Ryder seconded the motion.

**Final Vote:**

Chairman, Troy Wesson	Aye
Cynthia McCollum	-----
Steven Ryder	Aye
Cameron Grounds	Aye
Stephen Brooks	Aye
Lewie Bates	-----
Mike Potter	Aye
City Council Member Seifert	-----
Tim Cowles	Aye

**Motion Carried**

**2. Sidewalk Bond for Burgreen Place, Phase 2**

Mr. Blizzard reported on the bond request.

**Motion:**

Mr. Potter motioned to approve the request. Mr. Ryder seconded the motion.

**Final Vote:**

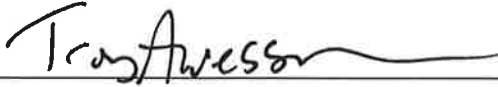
Chairman, Troy Wesson	Aye
Cynthia McCollum	-----
Steven Ryder	Aye
Cameron Grounds	Aye
Stephen Brooks	Aye
Lewie Bates	-----
Mike Potter	Aye
City Council Member Seifert	-----
Tim Cowles	Aye

**Motion Carried**

**ADJOURNMENT**

Mr. Wesson adjourned the meeting at 7:10 p.m.

**Minutes Approved**

A handwritten signature in dark ink, appearing to read "Troy Wesson", written over a horizontal line.

**Troy Wesson, Chairman**

**ATTEST:**

A handwritten signature in dark ink, appearing to read "Johnny Blizzard", written over a horizontal line.

**Johnny Blizzard, Senior Planner and Recording Secretary**

